

REMARKS

Summary of Office Action

In the June 30, 2008 Office Action, the Examiner alleged that claims 1-27 are directed to six patentably distinct species and issued a Restriction Requirement. The Examiner also rejected claims 1-15 as allegedly unpatentable under 35 U.S.C. § 101. Claims 1-27 are currently pending.

Summary of the Applicants' Response

In this response, Applicants address the Examiner's rejections and Restriction Requirement. Applicants have cancelled claims 1-15.

35 U.S.C. § 101 Rejection

Applicants have cancelled claims 1-15. As such, Applicants respectfully request that the Double Patenting rejection under 35 U.S.C. § 101 be withdrawn.

Restriction Requirement

As noted above, the Examiner indicated that the application is allegedly directed to six patentably distinct species of the claimed invention:

Species I: Corresponding to Figures 1-4

Species II: Corresponding to Figure 8a

Species III: Corresponding to Figure 9a

Species IV: Corresponding to Figure 10

Species V: Corresponding to Figure 11

Species VI: Corresponding to Figure 12.

The Examiner alleged that Species I has already been elected and prosecuted in U.S. Patent Application No. 09/423,769 and requires Applicants to elect a single disclosed species, from embodiments II-V.

Traversal #1

As a first basis for traversal, Applicants disagree that the prosecution should be restricted to a single one of the alleged species. Claims 16-27 are all directed towards systems and methods for editing video information. As such, they share corresponding special technical features. Applicants therefore request that the requirement be modified, such that Applicants are not required to elect a single alleged species.

Traversal #2

Assuming, *arguendo*, that alleged Species I-III and VI are directed to patentably distinct subject matter, alleged Species IV and V share corresponding technical features and should not be subject to a Restriction Requirement. For example, claim 20 is directed to generating a reduced speed sequence of frames for video information, which reads on Figure 10 (Species IV). Claim 21 is directed to a method which generates a frozen frame effect, which reads on Figure 11 (Species V), but claim 21 depends from claim 20. As such, the claims and their corresponding alleged Species share technical features and should not be subject to a Restriction Requirement.

Election

In order to completely reply with the requirement, Applicant hereby elects, with traverse, to prosecute Species II, claims 16-18, which read on Figure 8a of the Specification. This

election is made without prejudice to the prosecution of non-elected groups in other patent applications.

CONCLUSION

Applicants do not believe that any additional fee is required in connection with the submission of this document. However, should any fee be required, or if any overpayment has been made, the Commissioner is hereby authorized to charge any fees, or credit any overpayments made, to Deposit Account 02-4377.

Respectfully submitted,



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